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US PATENT & TRADEMARK  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee:	James Robert Deerman, et al.	Docket No.:	33849.15
Patent No.:	7,002,974	Serial No.:	07/385,249
Issue Date:	February 21, 2006	Filing Date:	March 28, 2001
Entitled:	Learning State Machine for Use In Internet Protocol Networks		

VIA FACSIMILE - 703-305-8568

Mail Stop POPUB

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

REQUEST FOR REFUND OF PRE-GRANT PUBLICATION FEE

Dear Sir:

Patentee hereby requests refund of the pre-grant publication fee timely paid on November 23, 2005. A copy of Issue Fee Transmittal, indicating payment of publication fee and return postcard is enclosed herewith.

According to the Updated Filing Receipt (copy enclosed) the projected pre-grant publication was scheduled on October 3, 2002. Patentee notes that to date the application has not yet published and that the application has proceeded to allowance and grant. It has been more than four weeks since the issue date and therefore, refund of the publication fee under 37 CFR 1.18(d) is respectfully requested.

Patentee respectfully requests that a refund of \$300.00 be credited to the Deposit Account of Haynes and Boone, LLP Number 08-1394. This form submitted in duplicate.

Respectfully submitted,

  
Steven T. McDonald  
Registration No. 45,999

Date: 31 March 2006

HAYNES AND BOONE, LLP  
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Dallas, Texas 75202-3789  
Telephone: 972-739-8644  
Facsimile: 214-200-0853

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Name	RANDI ROSS QUICK
Date	MARCH 31, 2006

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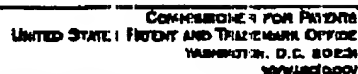
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**CONFIRMATION NO. 2649**

**UPDATED FILING RECEIPT**

Date Mailed: 05/14/2002

**Applicant(s)**

**"SMALL ENTITY"**

PAGE 3/6 \* RCVD AT 4/2/2006 2:33:48 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-34 \* DHS:2738300 \* CSID:703 305 4372 \* DURATION (mm-ss):02:44

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Page 2 of 2

## Title

Learning state machine for use in internet protocol networks

## Preliminary Class

370

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**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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PLEASE ATTACH OF PAGES		Issue Fee Transmittal Part-B (1 page in duplicate); Letter to the Official Correspondent (1 page) with formal drawings (9 sheets); a transmittal letter (1 page in duplicate); a check in the amount of \$1000 (issue fee and publication; no soft copies ordered); and this return postcard were received in the USPTO on the date stamped below.	
		<b>RECEIVED</b>	
		<b>DEC 05 2005</b>	
		<b>HAYNES &amp; BOONE LLP</b>	
APPLICANT		Deerman et al.	
SERIAL NO.		09/885249	
ATTORNEY DOCKET NO.		32849.15	
TITLE		Learning State Machine for Use in Internet Protocol Networks	
SENDER'S INITIALS		DLM/TFB/iah/go	
		DATE MAILED	
		11-23-05	

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**INSTRUCTIONS:** This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Block 1 through 5 should be completed with appropriate information. All further correspondence including the Patent, however, orders and notification of maintenance fees will be mailed to the address indicated below or directed otherwise in Block 1, by (a) specifying a new correspondence address, and/or (b) indicating a separate "Fee Address" maintenance fee notification.

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**901 MAIN STREET, SUITE 5100**  
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Haynes and Boone, LLP  
 11-23-05  
 Signature: [Signature]  
 Date: 11-23-05  
 Title: [Title]

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY	DOCKET NO.	CONFIRMATION NO.
09/85,249	03/28/2001	James Robert Downman	1111-9	2149	

TITLE OF INVENTION: LEARNING STATE MACHINE FOR USE IN INTERNET PROTOCOL NETWORKS

APPLN TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL	RECEIVED DATE	DATE DUE
unprovisional	YES	\$700	\$300	\$1,000	11/23/05	12/07/2005

EXAMINER	ART UNIT	CLASS/SUBCLASS
PATEL, AJIT	2664	570-401800

1. Change of correspondence address or indication of "Fee Address" (PT 1.335).  
☐ Change of correspondence address (or Change of Correspondence Address form PTO/509/122) attached.  
☐ "Fee Address" indication (or "Fee Address" indication form PTO/509/122 Rev 03-03 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list:  
 (1) the names of up to 3 registered patent attorneys or agents (in alphabetical order);  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the dates of up to 3 registered patent attorneys or agents. If no name is listed, no name will be printed.

Haynes and Boone, LLP

## 3. ASSIGNOR NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

**PLEASE NOTE:** Unless an assignor is identified below, no assignor data will appear on the patent. If an assignor is identified below, the document has been filed for recording as set forth in 37 CFR 3.111. Completion of this form is NOT a substitution for filing an assignment.

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Netraka Corporation

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Richardson, Texas, USA

Please check the appropriate assignor category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private entity ☐ Government

4a. The following fee(s) are enclosed:

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☒ Publication Fee (No small entity discount permitted)  
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5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims **SMALL ENTITY** status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming **SMALL ENTITY** status. See 37 CFR 1.27(c)(2).

The Director of the USPTO is requested to apply the (new) Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.  
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Authorized Signature: [Signature]  
 Timothy F. Bliss

Date: 11/23/05  
 Registration No. 56,925

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